

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

IN THE MARION COUNTY SUPERIOR COURT
CAUSE NO. 49D03-0705-PL-019267

STATE OF INDIANA,)
)
Plaintiff,)
)
v.)
)
CHARLES ALLEY, doing business)
as Eastside Car & Truck Sales,)
)
Defendant.)

FILED

(89) JUN 26 2007

Elizabeth L. White
CLERK OF THE MARION CIRCUIT COURT

DEFAULT JUDGMENT

The Plaintiff, State of Indiana, having filed its Motion for Default Judgment and the Court having read the same and being duly advised in the premises, now finds:

1. The Court has subject matter and personal jurisdiction over the Defendant.
2. The Defendant, Charles Alley, was served with the complaint and summons on May 14, 2007.
3. The Defendant has failed to file an answer, plead, or request an extension of time in which to answer the State's Complaint.
5. More than twenty (20) days have elapsed since the Defendant was served with the State's complaint.

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the Motion for Default Judgment is **GRANTED** in favor of the Plaintiff, State of Indiana, and against the Defendant, Charles Alley, individually and doing business as Eastside Car & Truck Sales. The Defendant, his agents, representatives, employees, successors and assigns are permanently enjoined from engaging in the following conduct in violation of Ind. Code §24-5-0.5 *et seq*:

a. A permanent injunction pursuant to Ind. Code § 24-5-0.5-4(c)(1), enjoining Alley, his agents, representatives, employees, successors, and assigns, from:

- (1) selling motor vehicles without delivering vehicle titles as required by Ind. Code § 9-17-3-3;
- (2) misrepresenting warranty of title in violation of Ind. Code § 24-5-0.5-3(a)(8);
- (3) misrepresenting his ability to deliver vehicle titles within a stated or reasonable period of time in violation of Ind. Code § 24-5-0.5-3(a)(10); and,
- (4) misrepresenting the characteristics and benefits of vehicle sales transactions in violation of Ind. Code § 24-5-0.5-3(a)(1).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that judgment is granted in favor of the Plaintiff, State of Indiana, and against the Defendant, Charles Alley, individually and doing business as Eastside Car & Truck Sales, as follows:

- b. Restitution pursuant to Ind. Code § 24-5-0.5-4(c)(2) as follows: the Court upon approval of this Default Judgment hereby directs the Indiana Bureau of Motor Vehicles to issue title to Ruth V. Brown, Indianapolis, IN , for the following 2001 Ford Explorer, vehicle identification number .
- c. Costs pursuant to Ind. Code § 24-5-0.5-4(c)(3), awarding the Office of the Attorney General its reasonable expenses incurred in the investigation and prosecution of this action in the amount of \$720.00;
- d. Civil penalties pursuant to Ind. Code § 24-5-0.5-4(g), for the Defendant's knowing violations of the Deceptive Consumer Sales Act; in the amount of

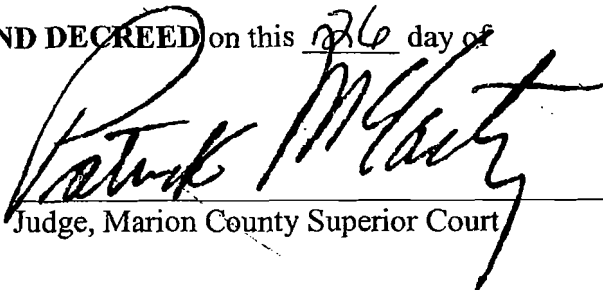
\$15,000.00, payable to the State of Indiana; and,

e. Civil penalties pursuant to Ind. Code §24-5-0.5-8, for the Defendant's intentional violations of the Deceptive Consumer Sales Act, in the amount of \$1,500.00, payable to the State of Indiana.

For a total monetary judgment in the amount of \$17,220.00 in favor of the Plaintiff, State of Indiana, and against Defendant, Charles Alley, individually and doing business as Eastside Car & Truck Sales.

ALL ORDERED, ADJUDGED AND DECREED on this 26 day of

June, 2007.



Judge, Marion County Superior Court

DISTRIBUTION:

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